

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

RICHARD SULLIVAN,

Defendant.

Case No. 10-CR-10159-PBS

**JOINT INITIAL STATUS REPORT**

Pursuant to Local Rule 116.5(a), the parties hereby file the following joint initial status report prepared in connection with the initial status conference scheduled for November 6, 2023. The parties also request that the November 6, 2023 status conference remain on the Court's calendar so that defense counsel will have an opportunity to meet with the client. The parties further request that another interim status conference be calendared at the Court's convenience in approximately 60 days.

(1) Automatic Discovery/Pending Discovery Requests

The government is still in the process of retrieving materials from its paper archives given the age and status of the case. The government shall make any and all automatic discovery available for inspection by defense counsel at defense counsel's request and at a mutually convenient time for the parties.

(2) Additional Discovery

The government is aware of its ongoing obligation to produce additional discovery. The government shall make all such discovery available to the defense in accordance with Local Rule 116.1(c).

(3) Timing of Additional Discovery Requests

The defendant shall evaluate the need for any additional requests.

(4) Protective Orders

All parties jointly agree to abide by any existing Protective Orders in this case.

(5) Pretrial Motions

The defendant has not yet determined whether and what pretrial motions will be filed pursuant to Rule 12(b).

(6) Expert Discovery

To the extent there are experts, the parties propose that the government make expert disclosures approximately 45 days before the final trial date set by the District Court, and the defendant make expert disclosures approximately 30 days before such date.

(7) Defenses of Insanity, Public Authority, or Alibi

The defendant does not intend to raise the defenses of insanity, public authority, or alibi.

(8) Speedy Trial Act

The time from the defendant's initial appearance on September 7, 2023 through the date of the scheduled status conference of November 6, 2023 has been excluded. (Dkt. No. 382.) The parties request that the time be excluded from November 6, 2023 through the date of the next status conference.

(9) Status of Plea Discussions; Likelihood and Estimated Length of Trial

The parties have engaged in plea discussions and hope to reach a disposition in this case. If a trial is necessary, the parties estimate that a trial in this matter would take approximately two to three weeks.

(10) Next Status Conference

Given the status of ongoing plea discussions, the parties request an interim status conference in approximately 60 days.

Respectfully submitted,

<p>RICHARD SULLIVAN,</p> <p>By his attorney,</p> <p><u>/s/ Paul V. Kelly</u></p> <p>Paul V. Kelly, Esq.</p>	<p>UNITED STATES OF AMERICA,</p> <p>By its attorney,</p> <p>Joshua S. Levy</p> <p>Acting United States Attorney</p>
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Jackson Lewis P.C. 75 Park Plaza, 4 <sup>th</sup> Floor 617-305-1263 Paul.Kelly@jacksonlewis.com	<u>/s/ <i>Dustin Chao</i></u> Dustin Chao Assistant United States Attorney John Joseph Moakley U.S. Courthouse One Courthouse Way, Suite 9200 Boston, MA 02210 dustin.chao@usdoj.gov 617-748-3100
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Dated: November 2, 2023

**CERTIFICATE OF SERVICE**

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ *Dustin Chao*

Dustin Chao

Assistant United States Attorney

Dated: November 2, 2023